

~~AMENDED~~

NO. 61940

APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 05 1996

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 14 1996 under 61940

The applicant **JOE SAVAL COMPANY**, hereby makes application for permission to change the **POINT OF DIVERSION, MANNER & PLACE OF USE OF A PORTION** of water heretofore appropriated under **PERMIT NO. 5376**

1. The source of water is **DAISY CREEK TRIBUTARIES & SPRINGS**
2. The amount of water to be changed **0.16 C.F.S.**
3. The water to be used for **STOCKWATER, 600 CATTLE**
4. The water heretofore permitted for **IRRIGATION & DOMESTIC**
5. The water is to be diverted at the following point **NW 1/4 NW 1/4 OF SECTION 22, T.28N., R.41E. M.D.B. & M., OR AT A POINT FROM WHICH THE N 1/4 CORNER OF SECTION 15, T.28N., R.41E., M.D.B. & M. BEARS N.16'45'59"E., 6169.07 FEET.**
6. The existing permitted point of diversion is located within **NW 1/4 NW 1/4 OF SECTION 22, T.28N., R.41E., M.D.B. & M. OR CA AT A POINT WHICH BEARS N.3'28'20"E., 14, 608.7 FEET FROM THE SW CORNER OF SECTION 34, T.28N., R.41E., M.D.B. & M.**
7. Proposed place of use **SW 1/4 SW 1/4 SECTION 15 AND THE NW 1/4 NW 1/4 OF SECTION 22; ALL IN T.28N., R.41E., M.D.B. & M.**
8. Existing place of use **W 1/2 SE 1/4, E 1/2 SW 1/4, NW 1/4 SW 1/4, NW 1/4, W 1/2 NE 1/4, NE 1/4 NE 1/4 OF SECTION 9, S 1/2 SE 1/4, S 1/2 SW 1/4 OF SECTION 4; ALL IN T. 28 N., R.41E., M.D.B. & M. ALONG WITH AND INCLUDING 15.13 ACRES IN THE SW 1/4 SE 1/4 OF SECTION 16 & 0.66 ACRES IN THE NW 1/4 NE 1/4 OF SECTION 16; ALL IN T.28 N., R.41E., M.D.B. & M.**
9. Use will be from **APRIL 1 to OCTOBER 31** of each year.
10. Use was permitted from **APRIL 1 to OCTOBER 31** of each year.
11. Description of proposed works **UNLINED DITCH (EXISTING CLARK DITCH) & ROCK DIVERSION STRUCTURE.**
12. Estimated cost of works **\$500**
13. Estimated time required to construct works **EXISTING**
14. Estimated time required to complete the application of water to beneficial use **2 YEARS**

15. Remarks: THIS APPLICATION IS FILED TO CORRECT THE ORIGINAL PROOF OF BENEFICIAL USE AND MAP WHICH WAS FILED IN 1926 AND NOT ACTED UPON BY THE STATE ENGINEER UNTIL 1995. REFER TO THE P.B.U. MAP FILED IN SUPPORT OF PERMIT 5376 FOR EXISTING P.O.D, 2ND PROOF OF BENEFICIAL USE FORM IN PERMIT 5376 FILE FOR DIVERSION RATES.

By s/CHARLES C. ARMUTH, JR. Agent
1262 HANNAH DRIVE
ELKO, NEVADA 89801

Compared lew/gkl hf/ct

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use, and manner of use of a portion of waters of Daisy Creek and Tributaries as heretofore granted under Permit 5376 is issued subject to the terms and conditions imposed in said Permit 5376 and with the understanding that no other rights on the source will be affected by the change proposed herein. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.019 cubic feet per second, or sufficient to water 600 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

December 29, 2001

Proof of completion of work shall be filed before:

January 29, 2002

Water must be placed to beneficial use on or before:

December 29, 2002

Proof of the application of water to beneficial use shall be filed on or before:

January 29, 2003

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 29th day of, December A.D. 2000

Tracy Taylor, P.E.
State Engineer

by Tracy Taylor, P.E., Deputy State Engineer

Completion of work filed FEB 13 2002

Proof of beneficial use filed FEB 18 2003

Cultural map filed N/A

Certificate No. 16 194 issued JUL 23 2003